

CHAPTER 1151

COUNTY SUPERVISOR REPRESENTATION AND DISTRICTING PLANS

H.F. 2372

AN ACT concerning county supervisor representation and districting plans and including effective date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I

SELECTION OF COUNTY SUPERVISOR REPRESENTATION PLANS

Section 1. [Section 331.206, subsection 2](#), paragraph a, Code 2018, is amended to read as follows:

a. The plan used under [subsection 1](#) shall be selected by the board or by a special election as provided in [section 331.207](#). A plan selected by the board shall remain in effect for at least six years ~~unless it is~~ and shall only be changed by a special election as provided in [section 331.207](#).

Sec. 2. [Section 331.207](#), Code 2018, is amended by adding the following new subsection:
NEW SUBSECTION. 5A. Notwithstanding any provision of [this section](#) to the contrary, a county with a population of sixty thousand or more based on the most recent federal decennial census that elects supervisors under plan “three” shall not change from plan “three” to plan “one” or plan “two” pursuant to a special election under [this section](#) unless a plan “one” or plan “two” representation plan is adopted by a two-thirds vote of the ballots cast in the special election.

DIVISION II

COUNTY SUPERVISOR REPRESENTATION DISTRICTING PLANS

Sec. 3. [Section 68B.32A, subsection 16](#), Code 2018, is amended to read as follows:

16. Establish an expedited procedure for reviewing complaints forwarded by the state commissioner of elections to the board for a determination as to whether a supervisor district plan adopted pursuant to [section 331.210A](#) that differs from a supervisor district plan prepared by the legislative services agency was drawn for improper political reasons as described in [section 42.4, subsection 5](#). The expedited procedure shall be substantially similar to the process used for other complaints filed with the board except that the provisions of [section 68B.32D](#) shall not apply.

Sec. 4. [Section 331.209, subsection 4](#), Code 2018, is amended to read as follows:

4. Each temporary county redistricting commission shall notify the state commissioner of elections when the boundaries of supervisor districts are changed, shall provide a map delineating the new boundary lines, and shall certify to the state commissioner of elections the populations of the new supervisor districts as determined under the latest federal decennial census. Upon failure of a temporary county redistricting commission to make the required changes by the dates specified by [this section](#) and [sections 331.203](#) and [331.204](#) as determined by the state commissioner of elections, the state commissioner of elections shall make or cause to be made the necessary changes as soon as possible, and shall assess to the county the expenses incurred in so doing. ~~The~~ Except for a representation plan drawn pursuant to [section 331.210A, subsection 2](#), paragraph “f”, the state commissioner of elections may request the services of personnel and materials available to the legislative services agency to assist the state commissioner in making required changes in supervisor district boundaries which become the state commissioner’s responsibility.

Sec. 5. [Section 331.210A, subsection 2](#), paragraph f, subparagraph (1), Code 2018, is amended to read as follows:

(1) (a) ~~Notwithstanding the provisions of [this section](#) to the contrary,~~ For purposes of this paragraph “f”, “qualifying county” means a county that elects supervisors under

plan “three” as defined in [section 331.206](#), or a county with a population of one hundred eighty thousand or more that has adopted a charter for a city-county consolidated form of government or a community commonwealth form of government and which charter provides for representation by districts.

(b) Notwithstanding any provision of [this section](#) to the contrary, for a qualifying county, the legislative services agency, and not the temporary county redistricting commission, shall draw a representation plan as provided by paragraph “a” ~~pursuant to a contract executed with the county.~~

(c) A county subject to the requirements of this paragraph “f” shall notify the state commissioner of elections that a representation plan to be drawn pursuant to this paragraph “f” is required and shall submit to the state commissioner of elections the precinct plan to be used to draw the representation plan. Upon notification and submission of a precinct plan, the state commissioner of elections shall review and approve the precinct plan to be used. Following approval of the precinct plan to be used, the state commissioner of elections shall notify the legislative council which shall direct the legislative services agency to prepare a representation plan for the county.

(d) The plan drawn by the legislative services agency shall be based upon the precinct plan adopted and approved for use by the county and shall be drawn in accordance with [section 42.4](#), to the extent applicable. After the legislative services agency has drawn the plan, the legislative services agency shall at the earliest feasible time make available to the public all of the information required to be made public by paragraph “b”.

DIVISION III EFFECTIVE DATE

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 16, 2018